IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 20421OF 2004

Between:

P.Raghurami Reddy, President, Thimmapuram Primary Agricultural Cooperative Society, S/o P.Sidda Reddy, aged 52 years, R/o Thimmapuram, via Mahal, Chittoor District.

..... PETITIONERS

AND

1. The District Cooperative Officer, Chittoor District.
2. The Deputy Registrar of Cooperative Societies/Divisional Cooperative officer, Madanapalli, Chittoor District.
3. The Registrar of Cooperative Societies/Commissioner for Cooperative, Government of AP, Hyderabad.
4. The Government of AP, rep. by its Secretary, Agriculture & Cooperative Department, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction, particularly a Writ of Mandamus, :

i. declaring the inaction of the respondents in not holding elections to the Thimmapuram Cooperative Rural Bank (PACS), Thimmapuram, via Mahal, Madanapalli Revenue Division, Chittoor District. Though the term of the elected members of the society expired in the month of July, 2000, in not conducting elections to Thimmapuram P.A.C.S, as illegal, arbitrary and unconstitutional apart from being violative of principles of natural justice against the mandatory provision u/Sec.

31 of A.P. Cooperative Societies Act, and the judgment of the Hon'ble High Court in M.Ranga Reddy vs State of Andhra Pradesh and another, reported in AIR 1989 AP 81, consequently

ii. direct the action of the 4th respondent in issuing G.O.Rt.No.606, Agriculture and Cooperation dated 3.7.2004 directing the 3rd respondent to appoint official persons in charge committees in place of the elected members of the cooperative societies and the consequential proceedings issued by the 2nd respondent in RC No.1060/2000-D, dated 9.7.2004 appointing the official persons in charge committee in place of the elected members to the Primary Agricultural Cooperative Societies Ltd. Thimmapuram via Mahal, Madanapalli Revenue Division, Chittoor District as illegal, arbitrary and unconstitutional apart from being violative of principles of natural justice and set aside the same; consequently

iii. direct the 3rd respondent to conduct elections immediately to the Thimmapuram Cooperative Rural Bank (P.A.C.S.) Ltd, Thimmapuram, Chittoor District by permitting the petitioner to continue as Chairman of the person-in-charge committee, Thimmapuram Cooperative Rural Bank Ltd, (PACS) Thimmapuram, Chittoor District till elections are held to it.

For the Petitioner: Mr. J. Srinadha Reddy, Advocate

For the Respondents: Government Pleader for Cooperation

The Court Made the Following :

::ORDER::

The issue arising in this writ petition is covered by the judgment of this court dated 8.11.2004 in W.P. No. 12116 of 2004 and Batch.

The writ petition is accordingly dismissed in terms of the aforesaid judgment. No order as to costs.

Date:04.02.2005 ----------

Pvsn Justice G. RAGHURAM

..... REGISTRAR

To

1. The District Cooperative Officer, Chittoor District.
2. The Deputy Registrar of Cooperative Societies/Divisional Cooperative officer, Madanapalli, Chittoor District.
3. The Registrar of Cooperative Societies/Commissioner for Cooperative, Government of AP, Hyderabad.
4. The Secretary, Government of AP, Agriculture & Cooperative Department, Secretariat, Hyderabad.

5. Two CCs to the Government Pleader for Cooperation, High Court building, Hyderabad (OUT)

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